

AMENDED IN ASSEMBLY APRIL 23, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1089

Introduced by Assembly Member Villines

February 27, 2009

~~An act to add Section 66025.9 to the Education Code, relating to student financial aid.~~ *An act to add Article 5 (commencing with Section 275) to Chapter 3 of Part 1 of Division 2 of the Military and Veterans Code, relating to public postsecondary education.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1089, as amended, Villines. ~~California State University and University of California—Public postsecondary education: student financial aid.~~

The Donahoe Higher Education Act sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. The California Community Colleges, the University of California, and the California State University constitute the 3 public segments of higher education in California.

Existing law provides various benefits for qualifying members of the California National Guard.

This bill would require the University of California, the California State University, and the California Community Colleges to provide a specified tuition and fee waiver for qualified members, as defined, of the California National Guard. These provisions would apply to the

University of California only to the extent that the Regents of the University of California make them applicable by resolution.

~~Existing law establishes various student financial aid programs under the administration of the Student Aid Commission, and establishes eligibility requirements for the receipt of awards under those programs for participating students attending qualifying institutions.~~

~~This bill would require the California State University, and would request the University of California, to grant priority for institutional student financial aid to eligible members and former members of the California National Guard.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Article 5 (commencing with Section 275) is added*
2 *to Chapter 3 of Part 1 of Division 2 of the Military and Veterans*
3 *Code, to read:*

4
5 *Article 5. California National Guard Education Assistance Act*
6

7 275. (a) *Notwithstanding any other provision of law, the*
8 *University of California, the California State University, and the*
9 *California Community Colleges, as applicable, shall provide a*
10 *tuition and fee waiver to any qualified member to meet the full*
11 *cost, as authorized by this section, of any mandatory systemwide*
12 *tuition or fees, including enrollment fees, registration fees,*
13 *differential fees, or incidental fees, charged to any qualified*
14 *member.*

15 (b) *A qualified member shall receive up to 60 units of tuition*
16 *and fee waivers for every three years that he or she has committed*
17 *to serve in the California National Guard.*

18 (c) *The total amount of tuition and fee waivers authorized by*
19 *this section shall not exceed 120 units per qualified member.*

20 (d) *The tuition and fee waivers authorized by this section shall*
21 *only be available to a qualified member for a period of seven years*
22 *following the date that the qualified member fulfills the service*
23 *commitments necessary to receive the tuition and fee waivers.*

24 (e) *The tuition and fee waivers authorized by this section shall*
25 *not be provided for any mandatory systemwide tuition and fees,*

1 *including enrollment fees, registration fees, differential fees, or*
2 *incidental fees, that are covered by a Cal Grant that has been*
3 *awarded to the qualified member, or by a Board of Governors*
4 *Enrollment Fee Waiver that the qualified member is otherwise*
5 *eligible to receive.*

6 *(f) A tuition and fee waiver, as authorized by this section, shall*
7 *be provided only to a qualified member who made a timely*
8 *application for all Cal Grant assistance for which the member*
9 *may qualify for the academic year in which a tuition and fee waiver*
10 *is under consideration.*

11 *(g) For purposes of this section, “qualified member” means a*
12 *person who meets all of the following requirements:*

13 *(1) Has served or is currently serving in the California National*
14 *Guard, and has maintained satisfactory service throughout the*
15 *period that qualifies him or her for educational assistance under*
16 *this section.*

17 *(2) Has committed to at least three years of service in the*
18 *California National Guard.*

19 *(3) Is accepted for enrollment at any campus of the University*
20 *of California, the California State University, or the California*
21 *Community Colleges.*

22 *(h) Any person who joined the California National Guard prior*
23 *to January 1, 2010, shall be required to recommit to the California*
24 *National Guard for at least three additional years in order to*
25 *receive the educational assistance under this section.*

26 *(i) Any qualified member who is dismissed from any campus of*
27 *the University of California, the California State University, or*
28 *the California Community Colleges due to poor academic*
29 *performance shall not be eligible to receive the educational*
30 *assistance under this section in the future.*

31 *(j) Any qualified member who receives educational assistance*
32 *under this section and fails to fulfill his or her commitment to the*
33 *California National Guard shall pay to the postsecondary*
34 *institution an amount equal to the value of the tuition and fee*
35 *waiver received under this section.*

36 *(k) The Military Department shall determine whether an*
37 *individual meets the requirements set forth in subdivision (g).*

38 *(l) This section shall apply to the University of California only*
39 *to the extent that the Regents of the University of California, by*
40 *appropriate resolution, make this section applicable.*

1 ~~SECTION 1. Section 66025.9 is added to the Education Code,~~
2 ~~to read:~~
3 ~~66025.9. The California State University shall, and the~~
4 ~~University of California is requested to, grant priority for~~
5 ~~institutional student financial aid to eligible members and former~~
6 ~~members of the California National Guard under student financial~~
7 ~~aid programs that are administered by the respective institutions.~~

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